

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	8:08CR383
Plaintiff,)	
)	
vs.)	ORDER
)	
DEVIN M. ENRIQUES and)	
MARQUITA JENSEN,)	
)	
Defendants.)	

This matter is before the court on the motion to continue by defendant Marquita Jensen (Jensen) (Filing No. 43). Jensen seeks a continuance of the trial of this matter which is scheduled for February 9, 2009. Jensen's counsel represents that Jensen consents to the motion and acknowledges she understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Upon consideration, the motion will be granted.

IT IS ORDERED:

1. Jensen's motion to continue trial (Filing No. 43) is granted.
2. Trial of this matter **for both defendants** is re-scheduled for **March 9, 2009**, before Chief Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendants in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **February 4, 2009 and March 9, 2009**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendants' counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 4th day of February, 2009.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge